

WEDNESDAY, MARCH 3, 2010

SIXTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Rabbi Saul Strosberg of Congregation Sherith Israel in Nashville, Tennessee, a guest of Senator Henry.

PLEDGE OF ALLEGIANCE

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2502 with amendment, 2513, 2557, 2575, 2609, 2610, 2638 with amendment, 2643, 2713, 2755, 2853, 2872 with amendment, 2937, 3316, 3516 and 3624; and Senate Joint Resolution No. 765.

MCNALLY, Chairperson
March 2, 2010

The Speaker announced that he had referred Senate Bills Nos. 2502 with amendment, 2513, 2557, 2575, 2609, 2610, 2638 with amendment, 2643, 2713, 2755, 2853, 2872 with amendment, 2937, 3316, 3516 and 3624; and Senate Joint Resolution No. 765 to the Committee on Calendar.

ENVIRONMENT, CONSERVATION AND TOURISM

MR. SPEAKER: Your Committee on Environment, Conservation and Tourism begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2987 with amendment.

SOUTHERLAND, Chairperson
March 2, 2010

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The Speaker announced that he had referred Senate Bill No. 2987 with amendment to the Committee on Calendar.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend that Senate Bills Nos. 3345 with amendment and 3671 with amendment be referred to Committee on Finance, Ways and Means.

TRACY, Chairperson
March 2, 2010

The Speaker announced that he had referred Senate Bills Nos. 3345 with amendment and 3671 with amendment to the Committee on Finance, Ways and Means.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2645 with amendment, 3529, 3808, 3840 with amendment, 3841 and 3877 with amendment; also, recommend that Senate Bill No. 2497 with amendment be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
March 2, 2010

The Speaker announced that he had referred Senate Bills Nos. 2645 with amendment, 3529, 3808, 3840 with amendment, 3841 and 3877 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2497 with amendment to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2875, 2982, 3130, 3203 and 3725.

BEAVERS, Chairperson
March 2, 2010

The Speaker announced that he had referred Senate Bills Nos. 2875, 2982, 3130, 3203 and 3725 to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3930** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

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Senate Bill No. 3930 by Senator Yager.

Graysville -- As introduced, subject to local approval, amends the charter by revising the membership on the board of commissioners from a mayor and six commissioners to a mayor and four commissioners and to make changes consistent with the reduction in the size of the governing body. Amends Chapter 230 of the Private Acts of 1992.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2524, 2552, 2754, 2823, 3023, 3036, 3075, 3185, 3202, 3270, 3354, 3609 and 3863** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 2524 -- Highway Signs -- As introduced, "Michael Allen Jones Memorial Bridge", U.S. Highway 31E (Gallatin Road) in Metropolitan Nashville.

House Bill No. 2552 -- Purchasing -- As introduced, clarifies that the purchase of used or second-hand articles by local government may be made as long as the price is not more than 10 percent higher than the highest value of the documented range instead of the price falling within 10 percent of the documented range. Amends TCA Section 12-3-1003.

House Bill No. 2754 -- Professions and Occupations -- As introduced, clarifies and reiterates current law concerning what duties may be performed by general contractors and architects and engineers performing construction management agent or advisor services for the construction of school buildings or additions to existing buildings. Amends TCA Section 49-2-203.

House Bill No. 2823 -- Barbers -- As introduced, authorizes service animals and fish tanks in barber shops. Amends TCA Title 62, Chapter 3, Part 1.

House Bill No. 3023 -- Highway Signs -- As introduced, "Tallent Bridge", U.S. Highway 27 in Rhea County.

House Bill No. 3036 -- Wills -- As introduced, allows a court to modify the terms of a will in manner that is not contrary to the testator's probable intention in order to achieve the testator's tax objectives and the court may provide that the modification has retroactive effect. Amends TCA Title 16, Chapter 3 and Title 32, Chapter 3.

House Bill No. 3075 -- State Employees -- As introduced, grants administrative leave days for state employees who are TSEA board members to attend board meetings. Amends TCA Title 8.

House Bill No. 3185 -- Alcoholic Beverages -- As introduced, defines an historic performing arts center to include music halls, and further prohibits certain employees of certain for-profit or not-for-profit organizations from receiving any incentive compensation from the sale of alcohol at such centers. Amends TCA Section 57-4-102.

House Bill No. 3202 -- Physicians and Surgeons -- As introduced, directs the Department of Health to encourage physicians to provide a publication dealing with umbilical cord blood banking to a woman by the end of her second trimester. Amends TCA Section 68-32-105.

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House Bill No. 3270 -- Criminal Offenses -- As introduced, adds trespass upon property quarantined because of its use to manufacture methamphetamine to current prohibition on removing signs, offering for sale, or inhabiting such property. Amends TCA Title 68, Chapter 12, Section 503.

House Bill No. 3354 -- Alcoholic Beverages -- As introduced, adds certain facilities of private institutions of higher education in Franklin County to the definition of hotel as used in regulating the sale of alcoholic beverages. Amends TCA Section 57-4-102.

House Bill No. 3609 -- Taxes, Real Property -- As introduced, removes the exceptions to the requirement that when property has been assessed for property taxation in a county for at least five years, the state board of equalization may not rule that the property is located in a different county; and authorizes the board to redress double assessment in these circumstances. Amends TCA Section 5-2-115.

House Bill No. 3863 -- Trusts -- As introduced, enacts the Tennessee Community Property Trust Act of 2010, which allows a married couple to voluntarily choose to transfer property to a trust and convert such property to community property. Amends TCA Title 35.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 830 through 832** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 830 by Senator Ketron.
Memorials, Death -- Sergeant David Clay Prescott, Jr.

Senate Joint Resolution No. 831 by Senator Finney.
Naming and Designating -- "Equal Pay Day", April 20, 2010.

Senate Joint Resolution No. 832 by Senator Ketron.
Memorials, Sports -- Eagleville High School basketball team, District 9 tournament champions.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 733, 752, 767, 860, 862, 863 and 865 through 869**; and **Senate Joint Resolutions Nos. 817 through 829** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 733 -- Naming and Designating -- "Helping Hands and Linking Arms Day", April 24, 2010.

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The Speaker announced that he had referred House Joint Resolution No. 733 to the Committee on State and Local Government.

House Joint Resolution No. 752 -- Memorials, Congress -- Urges equitable distribution of federal fuel tax revenues to the states from Highway Trust Fund, so that donor states are allocated such revenues in an amount equal to the amount of fuel taxes they pay into the Fund.

The Speaker announced that he had referred House Joint Resolution No. 752 to the Committee on Transportation.

House Joint Resolution No. 767 -- General Assembly, Directed Studies -- Directs the Department of Education to study "green cleaning" practices in public schools in Tennessee.

The Speaker announced that he had referred House Joint Resolution No. 767 to the Committee on Education.

House Joint Resolution No. 860 -- Memorials, Recognition -- Humboldt General Hospital, Gold Seal of Approval.

The Speaker announced that he had referred House Joint Resolution No. 860 to the Committee on Calendar.

House Joint Resolution No. 862 -- Memorials, Recognition -- Kenneth Hines.

The Speaker announced that he had referred House Joint Resolution No. 862 to the Committee on Calendar.

House Joint Resolution No. 863 -- Memorials, Recognition -- Kenneth and Estelle Ward.

The Speaker announced that he had referred House Joint Resolution No. 863 to the Committee on Calendar.

House Joint Resolution No. 865 -- Memorials, Retirement -- Brenda Aikens.

The Speaker announced that he had referred House Joint Resolution No. 865 to the Committee on Calendar.

House Joint Resolution No. 866 -- Memorials, Retirement -- Ann Medford, Haywood County Clerk.

The Speaker announced that he had referred House Joint Resolution No. 866 to the Committee on Calendar.

House Joint Resolution No. 867 -- Memorials, Retirement -- Pam Deen, Tipton County Clerk.

The Speaker announced that he had referred House Joint Resolution No. 867 to the Committee on Calendar.

House Joint Resolution No. 868 -- Memorials, Recognition -- Le Bonheur Children's Medical Center.

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The Speaker announced that he had referred House Joint Resolution No. 868 to the Committee on Calendar.

House Joint Resolution No. 869 -- Memorials, Recognition -- Le Bonheur Children's Medical Center, grand opening of new pediatric facility, June 15, 2010.

The Speaker announced that he had referred House Joint Resolution No. 869 to the Committee on Calendar.

Senate Joint Resolution No. 817 -- Memorials, Professional Achievement -- Gus Jaibat, Business Person of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 817 to the Committee on Calendar.

Senate Joint Resolution No. 818 -- Memorials, Professional Achievement -- Faye Green, Joe Quirk Educator of the Year Award.

The Speaker announced that he had referred Senate Joint Resolution No. 818 to the Committee on Calendar.

Senate Joint Resolution No. 819 -- Memorials, Professional Achievement -- Ruby Richardson, Cornerstone Lifetime Achievement Award.

The Speaker announced that he had referred Senate Joint Resolution No. 819 to the Committee on Calendar.

Senate Joint Resolution No. 820 -- Memorials, Professional Achievement -- Connie McDermott, R. Frank McKinney Distinguished Service Award.

The Speaker announced that he had referred Senate Joint Resolution No. 820 to the Committee on Calendar.

Senate Joint Resolution No. 821 -- General Assembly, Confirmation of Appointment -- James W. Reeves, State Forestry Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 821 to the Committee on Environment, Conservation and Tourism.

Senate Joint Resolution No. 822 -- General Assembly, Confirmation of Appointment -- John Ross, State Forestry Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 822 to the Committee on Environment, Conservation and Tourism.

Senate Joint Resolution No. 823 -- General Assembly, Confirmation of Appointment -- Paul Trianosky, State Forestry Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 823 to the Committee on Environment, Conservation and Tourism.

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Senate Joint Resolution No. 824 -- Memorials, Death -- Captain Marcus R. Alford, Sr., Tennessee Army National Guard.

The Speaker announced that he had referred Senate Joint Resolution No. 824 to the Committee on Calendar.

Senate Joint Resolution No. 825 -- Memorials, Recognition -- Knoxville Area Rescue Ministries, 50th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 825 to the Committee on Calendar.

Senate Joint Resolution No. 826 -- Memorials, Personal Occasion -- Arvel "Darb" and Minnie Cross, 71st wedding anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 826 to the Committee on Calendar.

Senate Joint Resolution No. 827 -- Memorials, Retirement -- Barbara Chinery.

The Speaker announced that he had referred Senate Joint Resolution No. 827 to the Committee on Calendar.

Senate Joint Resolution No. 828 -- Memorials, Death -- Elizabeth Anderson Prather.

The Speaker announced that he had referred Senate Joint Resolution No. 828 to the Committee on Calendar.

Senate Joint Resolution No. 829 -- Memorials, Death -- James Leon Berrong.

The Speaker announced that he had referred Senate Joint Resolution No. 829 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

March 1, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2576, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

COMMITTEE ON CALENDAR'S REPORT ON QUALIFIED ANNUAL EVENTS

Pursuant to Rule No. 76(1), the report was received and filed with the Clerk.

CONSENT CALENDAR

Senate Joint Resolution No. 810 -- Memorials, Death -- Thomas H. Hensley.

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Senate Joint Resolution No. 813 -- Memorials, Recognition -- George Hamilton IV.

Senator Faulk moved that all Senate Joint Resolutions be adopted, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 2566 -- Friendsville -- As introduced, subject to local approval, amends the corporate charter of the City of Friendsville. Amends Chapter 555 of the Private Acts of 1953.

On motion, Senate Bill No. 2566 was made to conform with **House Bill No. 2650**.

On motion, House Bill No. 2650, on same subject, was substituted for Senate Bill No. 2566.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 2408 -- Education -- As introduced, terminates the select oversight committee on education and transfers its duties and responsibilities to the Education Committees of the Senate and the House of Representatives. Amends TCA Section 3-15-207; Title 3, Chapter 15, Part 3; Section 41-21-238 and Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 28 of the printed bill in its entirety and by substituting instead the following:

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SECTION 28. Tennessee Code Annotated, Section 49-7-202, is amended by deleting the language ", the select oversight committee on education" wherever it appears.

AND FURTHER AMEND by deleting Section 27 of the printed bill in its entirety.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The Tennessee Code Commission shall delete any references to "the select oversight committee on education", however denominated, in the code as supplements are issued and volumes are replaced.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2408**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	2
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

Senators voting no were: Herron and Jackson--2.

Senator present and not voting was: Haynes--1.

A motion to reconsider was tabled.

Senate Bill No. 2416 -- Education -- As introduced, requires State Board of Education to develop and adopt teacher code of ethics to be used in defining conduct unbecoming to a member of the teaching profession. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 5.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, is amended by adding the following language as a new part 10:

§ 49-5-1001. This part shall be known and may be cited as the "Teacher Code of Ethics".

§ 49-5-1002. The general assembly finds and declares that:

(1) An educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of

truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. An educator accepts the responsibility to adhere to the highest ethical standards; and

(2) An educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct.

§ 49-5-1003.

(a) An educator shall strive to help each student realize the student's potential as a worthy and effective member of society. An educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

(b) In fulfillment of this obligation to the student, an educator shall:

(1) Not unreasonably restrain the student from independent action in the pursuit of learning;

(2) Not unreasonably deny the student access to varying points of view;

(3) Not deliberately suppress or distort subject matter relevant to the student's progress;

(4) Make reasonable effort to protect the student from conditions harmful to learning or to health and safety;

(5) Not intentionally expose the student to embarrassment or disparagement;

(6) Not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background or sexual orientation unfairly:

(A) Exclude any student from participation in any program;

(B) Deny benefits to any student; or

(C) Grant any advantage to any student;

(7) Not use professional relationships with students for private advantage; and

(8) Not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

§ 49-5-1004.

(a) The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service. In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

(b) In fulfillment of this obligation to the profession, an educator shall not:

(1) Deliberately make a false statement or fail to disclose a material fact related to competency and qualifications in an application for a professional position;

(2) Misrepresent the educator's professional qualifications;

(3) Assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute;

(4) Knowingly make a false statement concerning the qualifications of a candidate for a professional position;

(5) Assist a non-educator in the unauthorized practice of teaching;

(6) Disclose information about colleagues obtained in the course of professional service unless the disclosure serves a compelling professional purpose or is required by law;

(7) Knowingly make false or malicious statements about a colleague; and

(8) Accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

SECTION 2. Tennessee Code Annotated, Section 49-5-501(3)(D), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(D) Disregard of the Teacher Code of Ethics in Title 49, Chapter 5, Part 10, in such manner as to make one obnoxious as a member of the profession; or

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2416**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 2480 -- Education -- As introduced, requires local boards of education to give preference to parent's request in classroom placement of multiple birth siblings. Amends TCA Section 49-6-3102.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3102, is amended by adding the following language as a new, appropriately designated subsection:

() In determining the classroom assignments of multiple birth siblings, no school or board of education shall separate such multiple birth siblings into different classrooms solely due to such children being multiple birth siblings.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Gresham moved that **Senate Bill No. 2480**, as amended, be placed on the Calendar for Monday, March 8, 2010, which motion prevailed.

Senate Bill No. 3224 -- Alcoholic Beverages -- As introduced, defines an historic performing arts center to include music halls, and further prohibits certain employees of certain for-profit or not-for-profit organizations from receiving any incentive compensation from the sale of alcohol at such centers. Amends TCA Section 57-4-102.

On motion, Senate Bill No. 3224 was made to conform with **House Bill No. 3185**.

On motion, House Bill No. 3185, on same subject, was substituted for Senate Bill No. 3224.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3185** passed its third and final consideration by the following vote:

Ayes 25
Noes 5

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Senators voting aye were: Barnes, Berke, Black, Burchett, Crowe, Faulk, Finney, Ford, Harper, Haynes, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--25.

Senators voting no were: Beavers, Bunch, Burks, Herron and Southerland--5.

A motion to reconsider was tabled.

Senate Bill No. 3512 -- Public Contracts -- As introduced, entitles private nonprofit institutions of higher education chartered in Tennessee to purchase and contract for the purchase of any materials, supplies, equipment, and services through the Department of General Services to the same extent the state public colleges, universities, and technology centers may do so. Amends TCA Title 12, Chapter 3, Part 1 and Section 49-7-127.

Senator Overbey declared Rule 13 on **Senate Bill No. 3512**.

Senate Bill No. 3512 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Watson, **Senate Bill No. 3183** was recalled from the Committee on Commerce, Labor and Agriculture.

WITHDRAWAL OF BILL

On motion of Senator Watson, Senate Bill No. 3183 was withdrawn from the Senate.

MOTION

Senator Norris moved that the Proposed Schedule for the week of March 8, 2010, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
106th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF MARCH 8, 2010**

MONDAY – March 8

5:00 p.m.

Session – Senate Chamber

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TUESDAY – March 9

8:30 a.m. – 10:30 a.m.	Finance, Ways & Means Committee (Tax Sub will meet immediately following)
10:30 a.m. – 11:30 a.m.	Environment, Conservation & Tourism Committee
11:30 a.m. – 12:30 p.m.	Transportation Committee
12:30 p.m. – 1:00 p.m.	Lunch
1:00 p.m. – 3:00 p.m.	Commerce, Labor & Agriculture Committee
3:00 p.m. – 5:00 p.m.	Judiciary Committee

WEDNESDAY – March 10

8:30 a.m.	Session – Senate Chamber
10:00 a.m. – 12:00 noon	State & Local Government Committee
12:00 noon – 1:00 p.m.	Lunch
1:00 p.m. – 2:30 p.m.	Education Committee
2:30 p.m. – 3:30 p.m.	Government Operations Committee
3:30 p.m. – 5:00 p.m.	General Welfare, Health & Human Resources Committee

THURSDAY – March 11

9:00 a.m.	Session – Senate Chamber
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NOTE: Council on Pensions and Insurance, Monday, March 8, 2010, at 1:00 p.m., Room 29 LP.

Joint Government Operations (State & Local Joint Subcommittee – sunset hearing for State Election Commission) Monday, March 8, 2010, at 1:30 p.m., Room 12 LP.

Pre-Commerce meeting, Tuesday, March 9, 2010 at 7:30 a.m., Room 12 LP.

RECALL OF BILL

On motion of Senator Burchett, **Senate Bill No. 2786** was recalled from the Committee on Environment, Conservation and Tourism.

WITHDRAWAL OF BILL

On motion of Senator Burchett, Senate Bill No. 2786 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator McNally, **Senate Bill No. 2627** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator McNally moved that Senate Bill No. 2627 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

On motion of Senator Tracy, his name was added as sponsor of **Senate Bills Nos. 2408 and 2480**.

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On motion of Senator Herron, his name was added as prime sponsor of **Senate Bills Nos. 2872, 3490 and 3626.**

On motion of Senator Barnes, his name was removed as sponsor of **Senate Bills Nos. 2872, 3490 and 3626.**

On motion of Senator Kyle, his name was added as sponsor of **Senate Bills Nos. 2991 and 3250.**

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 2741 and 3189.**

On motion of Senator Johnson, his name was added as sponsor of **Senate Bill No. 223.**

On motion of Senator Marrero, her name was added as sponsor of **Senate Bill No. 2940.**

On motion of Senator Woodson, her name was added as sponsor of **Senate Joint Resolution No. 765.**

On motion of Senators Herron and Black, their names were added as sponsors of **Senate Joint Resolution No. 814.**

On motion of Senator Black, her name was added as sponsor of **Senate Bills Nos. 844, 2416, 2513, 2557, 2965 and 2982.**

ENGROSSED BILLS

March 3, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2408, 2416 and 3512; and Senate Joint Resolutions Nos. 810 and 813; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 3, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 759, 760, 789, 790, 791, 792, 795, 796, 797 and 799; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 3, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2417, 2577 and 3870; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

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ADJOURNMENT

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, March 4, 2010, which motion prevailed.